

INFORMATION SHARING

THE RELATIONSHIP BETWEEN CLUBS AND SGBs

Since the earliest days of Child Protection policies and procedures being introduced to and implemented by Governing Bodies of Sport and their affiliated clubs there has been a level of uncertainty, confusion and anxiety around the handling and sharing of Disclosure information. The uncertainty centred on the fact that it is illegal to share Disclosure information with a third party, and the need for confidentiality to be respected and protected, yet CPOs in both SGBs and clubs needed support.

We are now in a position to address this circumstance in a way which will make the recruitment, selection and Disclosure checking process clearer, more effective and fairer to everyone involved. It will also help ensure more thorough and objective management of any complaints and/or concerns of a child wellbeing/protection nature which might arise. This will include the referral to ministers procedure should it be necessary.

Safeguarding in Sport acknowledges the support, co-operation and expertise of Volunteer Scotland Disclosure Services, (formerly CRBS) and the Information Commissioner's Office in reaching this point.

The solution is straightforward and lies within the Data Protection Policy processes of each SGB and each Club.

Our focus has been on information sharing as it relates to individuals in regulated work roles. However, by adding an appropriately worded FAIR PROCESSING NOTICE within the Data Protection policy statement of the organisation, every person who is/becomes a member and/or employee (paid or unpaid) of that organisation could, if the criteria are met, have their information shared between the recognised persons in the designated organisations.

It will be everyone's responsibility to ensure that the FPN process operates within the letter and spirit of the Law, but it does mean that designated and trained persons will, when the criteria are met, be able to discuss cases and circumstances directly which will assist towards fairer and more objective decisions being taken.

FAIR PROCESSING NOTICE RE CHILD WELLBEING/PROTECTION

"The Data Protection Act 1998 requires that you are informed about how your personal information will be used. For the purposes of child wellbeing/child protection matters, the club may share information about you with the sport's Governing Body in Scotland and/or National (UK) Governing Body where it has been alerted to circumstances that might affect your status as a member of the PVG scheme for regulated work with children and/or protected adults or your suitability to carry out the regulated work role for which you have applied/been appointed or already doing. In the event such sharing is deemed necessary, it will normally only be carried out between the registered Child Protection Officers in the Club and Governing Body."

Candidates are therefore required to disclose any unspent convictions or cautions and any spent convictions for offences included in Schedule A1, 'OFFENCES WHICH MUST ALWAYS BE DISCLOSED' of the Rehabilitation of Offenders Act (Exclusions and Exceptions) (Scotland) Amendment Order 2105. Candidates are not required to disclose spent convictions for offences included in Schedule B1, 'OFFENCES WHICH ARE TO BE DISCLOSED SUBJECT TO RULES' until such time as they are included in a higher level disclosure issued by Disclosure Scotland.